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EXHIBIT "F"

DEBORAH Q. HARDING

THOMAS H. CLAUNCH III

2 December 2003

Mr. Charles Kelvin Johns
AIS #154434
PO Box 388
Tutwiler, MS 38963

RE: CR-02-1375 / Charles Kelvin Johns, alias v. State

Dear Mr. Johns:

Thank you for your letter dated 11/16/03.

I appreciate the concern you raised regarding Mr. Brantley's brief to The Court of Criminal Appeals and the issues presented in Ex parte Pettiway, 539 So. 2d 372 (1988).

Please be aware that the issues raised in Pettiway are substantially different than the circumstances involved with your conviction. You were actually charged and indicted on a 1st degree kidnapping charge. You were convicted of the offence of 2nd degree kidnapping. As the judge indicated your attorney and to the prosecutor during your trial, the placement of the words "and" and "or" as related to the original crimes charged make significant difference in the type of instructions given to the jury.

I contacted the Court yesterday to find out the status of the appeal. The case is still before the Court and a decision has not yet been reached. I will notify you immediately of the Court's findings, once a decision has been rendered.

Very cordially,



Thomas H. Claunch, III
Attorney at Law

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